

REMARKS

This Amendment is responsive to the official action dated June 13, 2008. The claim amendments included herein are merely clarifying amendments and are not meant to change the intended scope of the claims. Thus, the amendments present the rejected claims in better form for consideration on appeal, and they should be entered in due course. Moreover, the amendments are manifest, requiring only a cursory review by the Examiner, thereby providing additional ground for their entry.

Claims 1-31 were pending in the application. In the official action, claims 1-31 were rejected. In this Amendment, claims 1, 9, 20, and 31 have been amended. Claims 1-31 thus remain for consideration.

Applicant submits that the application is now in condition for allowance and requests reconsideration and withdrawal of the rejections in light of the following remarks.

§103 Rejections

Claims 1-31 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nakada (US Patent No. 7,133,387) in view of Hieda et al. (US Patent No. 5,592,483).

Applicant respectfully submits that the independent claims (claims 1, 9, 20, and 31) are patentable over Nakada and Hieda (collectively "the cited references").

Applicant's invention as recited in claim 1 is directed toward a wireless communication system. The claim recites that the system "operat[es] without a base station and include[es] a plurality of communication apparatuses associated with respective communication areas." That is, communications between apparatuses in Applicant's system do not pass through a "base station." Rather, in Applicant's system a communication apparatus transmits directly to other communication apparatuses that are located within its communication area. The transmitting

apparatus adds a preamble signal to its transmission and a communication apparatus which is located within the communication area of the transmission source, and which is not currently communicating, is operable to recognize that "the transmission path is used for a predetermined interval from a time when the preamble signal is detected." The claim further recites that "the preamble signal is inserted in each transmission packet so as to be integral with each transmission data," and that "the communication apparatus located within the communication area of the transmission source communication apparatus and not currently communicating is operable to communicate over the transmission path when it does not detect the preamble signal." (Emphasis supplied.)

Neither of the cited references discloses the emphasized recitation. In particular, Applicant notes that Nakada's Fig. 5 depicts a "preamble signal" that is separate from "transmission data," and that Hieda's col. 1, lines 61-63 discloses a "carrier sense step" but not a preamble detection operation as recited by Applicant. Accordingly, Applicant believes that claim 1 is patentable over the cited references - taken either individually or in combination - on at least this basis.

Independent claims 9, 20, and 31 include limitations similar to those discussed in connection with claim 1. Accordingly, Applicant submits that claims 9, 20, and 31 are patentable over the cited references for at least the same reasons as discussed in connection with claim 1.

Further, since dependent claims inherit the limitations of their respective base claims, Applicant submits that dependent claims 2-8, 10-19, and 21-30 are patentable over the cited references for at least the same reasons as discussed in connection with the independent claims.

Applicant respectfully submits that all of the claims now pending in the application are in condition for allowance, which

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action is earnestly solicited. If any issues remain, or if the Examiner has any further suggestions, the Examiner is invited to telephone the undersigned at (908) 654-5000.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 12-1095.

The Examiner's consideration of this matter is gratefully acknowledged.

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Respectfully submitted,

By



Bruno Polito

Registration No.: 38,580  
LERNER, DAVID, LITTENBERG,  
KRUMHOLZ & MENTLIK, LLP  
600 South Avenue West  
Westfield, New Jersey 07090  
(908) 654-5000  
Attorney for Applicant

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